

NO. 24178

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee

vs.

JEWEL MCDONALD, Defendant-Appellant

and

BARBARA SCOTT, aka Kenya Scott, Barbara Kenya Scott, and Kenya
Parker, Defendant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 96-2091)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that Appellant seeks review of pretrial rulings denying dismissal of the indictment by appealing from a March 2, 2001 order granting Appellant a deferred acceptance of a no contest plea and deferring plea acceptance until 2006. The March 2, 2001 order is not final for the purpose of taking an appeal and it does not provide a jurisdictional basis for reviewing the pretrial rulings purportedly preserved by conditional plea under HRPP Rule 11(a)(2). See State v. Kealaiki, 95 Hawaii 309, 22 P.3d 588 (2001). Accordingly,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawaii, October 8, 2001.